

REMARKS

The present Amendment and Response is intended to be fully responsive to all points of objections and/or rejections being raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt reconsideration and allowance of the claims are respectfully requested.

Status of the Claims

Claim 1 has been cancelled.

Claims 2, 5 and 6 have been amended.

Claims 2 – 6, are pending in the application.

Remarks to Claim Rejections

Claim Rejections - 35 USC §103

Claims 1-6 stand rejected under 35 USC §103(a) as being un-patentable over Applicant's Admitted Prior Art (AAPA) in view of Diem et al (US Pat No. 5,596,540).

Claim 1 has been cancelled.

Claim 2 has been amended to include all of the limitations of claim 1.

With respect to claim 1, the examiner has stated that neither AAPA nor Diem teach a second logic means that inhibit the writing of task in the field(s) of the FIFO memory where a valid task has been entered and enable said writing in the first free field below in the pile. The examiner has stated that this would have been obvious to one of ordinary skill in the art. However the examiner has not provided a reference to support his conclusion. Applicant respectfully requests that the Examiner supply references to support his assertion of obviousness.

With respect to claim 2, the Examiner has stated that neither "AAPA and Diem do not teach that the first logic means comprises: a task detection circuit coupled to the processor bus that detects valid tasks; and, a FIFO controller coupled to said task

detection circuit, said FIFO controller generates an ADD TASK signal to add new tasks to be performed in said FIFO memory, a CLEAR TASK signal that clears all tasks therefrom that have been executed when said corresponding data are available on the processor bus, and a control signal that is applied to a gating means for only enabling said valid tasks to be presented on said dedicated bus.” The examiner has again stated that this would have been obvious to one of ordinary skill in the art. However the examiner has not provided a reference to support his conclusion. Applicant respectfully requests that the Examiner supply references to support his assertion of obviousness.

With respect to claim 3, the Examiner has stated that neither, “AAPA and Diem do not teach a valid bit (V) stored in a register is associated to each of said N storage fields, wherein a first binary value being set in said register, means that a valid task has been entered in the corresponding field.” The examiner has again stated that this would have been obvious to one of ordinary skill in the art. However the examiner has not provided a reference to support his conclusion. Applicant respectfully requests that the Examiner supply references to support his assertion of obviousness.

With respect to claim 4, the Examiner has stated that neither, “AAPA and Diem do not teach that the output of each pair of consecutive registers is connected to the inputs of a two-way XOR gate, so that only one output of the N-I XOR gates is active (at “1”) indicating thereby the boundary between the field(s) of the FIFO memory where a valid task has been entered and the remaining free field(s).” The examiner has again stated that this would have been obvious to one of ordinary skill in the art. However the examiner has not provided a reference to support his conclusion. Applicant respectfully requests that the Examiner supply references to support his assertion of obviousness.

The Examiner is reminded that the MPEP section 2144.03 states that:

Official notice without documentary evidence to support an examiner’s conclusion is permissible only in some circumstances. While “official notice” may be relied on, these circumstances should be rare when an application is under final rejection or action under 37 CFR 1.113. Official notice unsupported by documentary evidence should only be taken by the examiner where the facts asserted to be well-known, or to be common knowledge in the art are capable of instant and unquestionable demonstration as being well-known. As noted by the court in *In re Ahlert*, 424 F.2d 1088, 1091, 165 USPQ

418, 420 (CCPA 1970), the notice of facts beyond the record which may be taken by the examiner must be “capable of such instant and unquestionable demonstration as to defy dispute” (citing *In re Knapp Monarch Co.*, 296 F.2d 230, 132 USPQ 6 (CCPA 1961)). Applicant respectfully disagrees with the Examiner’s statements regarding his personal knowledge that the basis for rejection of claims 1-4 are obvious and respectfully requests that the Examiner provide the supporting documentation. Therefore, the Examiner is respectfully requested to provide references to support the assertions of obvious the Examiner has made.

With respect to claims 5 and 6, the claims have been amended to be dependant upon claim 2. In view of the allowability of claim 2, claims 5 and 6 are also in allowable form.

Conclusion

In view of the preceding remarks, Applicants respectfully submit that all pending claims are now in condition for allowance. Favorable reconsideration and allowance of the claims are respectfully requested.

No fees are believed to be due in connection with this paper. However, if there is any such fee due, please charge any such fee to the deposit account No. 09-0458.

Respectfully submitted,

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